



**Ninety-Eighth Legislature - First Session - 2003**  
**Committee Statement**  
**LB 125**

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**Hearing Date:** February 4, 2003

**Committee On:** Banking, Commerce and Insurance

**Introducer(s):** (Tyson, Baker)

**Title:** Require uniform prescription drug information cards

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**Roll Call Vote – Final Committee Action:**

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

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**Vote Results:**

8 Yes                      Senators Quandahl, Tyson, Foley, Jensen, Johnson, Loudon,  
   Mines, Redfield

No

Present, not voting

Absent

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**Proponents:**

Senator Gene Tyson

Robert Hallstrom

Barbara Mart

Carey Potter

**Representing:**

Introducer

NE Pharmacists Association

Self

National Association of Chain Drug Stores

**Opponents:**

Tom Jenkins

**Representing:**

Blue Cross/Blue Shield of NE

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 125 (Tyson, Baker) would enact a new section (section 1 of the bill) to provide that insurers issuing individual and group health benefit plans which provide coverage for prescription drugs and devices shall issue to insureds a uniform prescription drug information card or other technology that conforms to the standards and format of the National Council for Prescription Drug Programs Pharmacy ID Card Implementation Guide. This section would provide that all required information that is necessary for submission and adjudication of claims for prescription drug or device benefits shall be included in a clear, readable, and understandable manner on the card or other technology.

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Section 2 would amend section 44-1525 of the Unfair Insurance Trade Practices Act to provide that violation of section 1 of this bill (described in the paragraph above) shall be an unfair trade practice in the business of insurance subject to enforcement by the Department of Insurance.

**Explanation of amendments, if any:**

1. The committee amendments would amend section 1 to expand its definition of “health benefit plan” to include self-funded employee benefit plans to the extent not preempted by federal law or exempted by state law.
2. The committee amendments would amend section 1 to provide that it applies to all health benefit plans delivered or issued on or after January 1, 2004, and to all health benefit plans renewed on or after January 1, 2005.
3. The committee amendments would amend section 1 to strike provisions which make violations of it or rules and regulations adopted and promulgated under it an unfair trade practice in the business of insurance subject to the Unfair Insurance Trade Practices Act (This is already covered by section 2 of the bill as introduced.).
4. The committee amendments would amend section 1 to provide that the required prescription drug cards will not be described as “uniform.”

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**Senator Mark Quandahl, Chairperson**